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ANKRUPTCY COURT **DISTRICT OF NEVADA**

in re:
USA COMMERCIAL MORTGAGE COMPANY,
Debtor.
In re:
USA CAPITAL REALTY ADVISORS, LLC,
Debtor.
In re:
USA CAPITAL DIVERSIFIED TRUST DEED
FUND, LLC,
Debtor.
In re:
USA CAPITAL FIRST TRUST DEED FUND,
LLC,
Debtor.
In re:
USA SECURITIES, LLC,
Debtor.
Affects:
☐ All Debtors
■ USA Commercial Mortgage Company
☐ USA Securities, LLC
☐ USA Capital Realty Advisors, LLC
■ USA Capital Diversified Trust Deed Fund, LLC

☐ USA Capital First Trust Deed Fund, LLC

Case No. BK-S-06-10725 LBR Case No. BK-S-06-10726 LBR Case No. BK-S-06-10727 LBR Case No. BK-S-06-10728 LBR Case No. BK-S-06-10729 LBR

Chapter 11

Jointly Administered Under Case No. BK-S-06-10725 LBR

DEBTORS' JOINDER IN OBJECTION BY DIVERSIFIED COMMITTEE TO MOTION FOR ORDER SHORTENING TIME ON MOTION BY ESTATE OF DANIEL TABAS AND FERTITTA **ENTERPRISES, INC. FOR RELIEF FROM STAY**

Date: OST PENDING Time: OST PENDING

P:\USA Commercial Mortgage\Pleadings\Motion to Lift Stay - Fertitta\Debtors' Joinder in Opposition.DOC

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USA Commercial Mortgage Company and USA Diversified Trust Deed Fund, LLC
(collectively, the "Debtors"), two of the debtors in these jointly administered chapter 11 cases,
hereby join in the Objection of the Official Committee of Equity Security Holders of USA Capital
Diversified Trust Deed Fund, LLC, to Motion for Order Shortening Time for Hearing on Estate of
Daniel Tabas' and Fertitta Enterprises, Inc.'s Motion for Relief From the Automatic Stay to
Terminate the Loan Servicing Agreement for the Direct Loan to Colt Gateway, LLC (the
"Committee's Objection") (docket no. 2479).

The Committee's Objection addresses the *Motion for Order Shortening Time* (the "Motion") filed by the Estate of Daniel Tabas and Fertitta Enterprises, Inc. (docket no. 2460) regarding their *Motion for Relief from Stay* (docket no. 2457). For the reasons set forth in the Committee's Objection, the Debtors oppose the Motion and request that it be denied.

Respectfully submitted this 19th day of January, 2007.

Lenard E. Schwartzer, Nevada Bar No. 0399 Jeanette E. McPherson, Nevada Bar No. 5423 SCHWARTZER & MCPHERSON LAW FIRM 2850 South Jones Boulevard, Suite 1 Las Vegas, Nevada 89146

and

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